

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROBERT JACKSON,)
Plaintiff,)
v.) Civ. No. 06-300-SLR
CARL DANBERG, et al.,) CLASS ACTION
Defendants.)

ORDER

At Wilmington this 31st day of July, 2008, having been informed that defendants intend to incorporate into Delaware's lethal injection execution protocol "any additional safeguards that Kentucky['s lethal injection execution protocol] provides" (D.I. 100); and given that Kentucky's lethal injection execution protocol has passed constitutional muster, see Baze v. Rees, 128 S. Ct. 1520 (2008);

IT IS ORDERED that, absent settlement of this case:

1. On or before **August 31, 2008**, defendants shall file with the court, under seal, the revised version of Delaware's lethal injection execution protocol, consistent with the above representations.
2. The court will conduct a telephone conference with counsel on **September 5, 2008 at 8:30 a.m.**, to determine whether there is a need for the **September 10, 2008**

evidentiary hearing to go forward. Defendants' counsel shall initiate the call.



United States District Judge